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June 2, 2006

VIA E-FILING AND HAND DELIVERY

The Honorable Kent A. Jordan
United States District Court
844 King Street
Wilmington, DE 19801

Re: Ampex v. Eastman Kodak Company, et al., C.A. No. 04-1373-KAJ

Dear Judge Jordan:

Defendants respectfully submit a complete copy of the Houston Law Review article authored by William Lee that Ampex cites in its Reply Brief in Support of its Motion to Compel. [DI 340] At page 434, Mr. Lee specifically addresses the question of extending the waiver to trial counsel. Defendants are available for telephonic oral argument should the Court determine that such argument would be helpful in resolving the issues raised by Ampex's Motion.

Respectfully,



DAVID E. BRAND

(Del. Bar No. 201)

DEB/mhl

Enclosure

cc: Clerk of the Court (W/Encl.) (Via Hand)
Jack B. Blumenfeld, Esquire (W/Encl.) (Via Efiling & E-Mail)
Julia Heaney, Esquire (W/Encl.) (Via E-Mail)
Norman H. Beamer, Esquire (W/Encl.) (Via E-Mail & FedEx)
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